

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11458 of 2024

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Braj Kishor Panjiyara S/o Late Fulchand Panjiyara R/O-Nijhari, P.O. Bharatashila, P.S. Shambhuganj, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Rural Development Department, Govt. of Bihar, Patna.
2. The Collector cum District Magistrate Banka.
3. The Sub Divisional Magistrate, Banka.
4. The Circle Officer Shambhuganj, Block, Banka.
5. The Superintendent of Police, Banka.
6. The Officer In Charge Shambhuganj Police Station, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Respondent/s : Mr.Government Pleader- 27

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-08-2024 The present writ petition has been filed
seeking the following reliefs:-

“1.(i) For direction to the Respondents to remove the encroachment situated at Bharat Shila Mouja Thana No. 138, Khata No. 176 and 26/27 Khasra No. 1163, 980, ad-measuring 54 and 80 decimal and Mouja Nijhri Thana No. 140 Khata No. 66, ad-measuring 31 decimal and 2.1/2 acre of Gair Majurwa land, situated at Anchal Sambhuganj, District-Banka.

(ii) For direction to the respondents to remove encroachment from the



aforesaid land and dispose of the Encroachment Case No. 10/22-23 in accordance with Law, which is pending before the Circle Officer Shambhuganj, District-Banka.

(iii) For direction to the respondents to make measurement as per the Khatiyani and thereafter, remove the aforesaid encroachment and dispose of Encroachment Case No. 10/2022-23."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Shambhuganj, District-Banka, to dispose off the pending Encroachment Case No. 10 of 2022-23.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid Encroachment Case is still pending, the same would definitely be disposed off within a stipulated time frame, as is fixed by this Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Shambhuganj, District-Banka to dispose off the aforesaid Encroachment Case No. 10 of 2022-23, in case the same is still pending, by passing the final order under Section



6(1) of the Bihar Public Land Encroachment Act, 1956, in accordance with law and after hearing the affected parties, within a period of six weeks of receipt/production of a copy of this order.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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